

Feb 20 11:00 AM  
Before the  
Federal Communications Commission  
Washington, D.C. 20554

FCC 04I-01

In the Matter of	)	EB Docket No. 03-96
	)	
	)	
NOS COMMUNICATIONS, INC.	)	File No. EB-02-TC-119
AFFINITY NETWORK INCORPORATED	)	
and	)	NAL/Acct. No. 20033217003
NOSVA LIMITED PARTNERSHIP	)	
	)	FRN: 0004942538
Order to Show Cause and Notice	)	
Of Opportunity for Hearing	)	

**ORDER**

**Adopted:** February 12, 2004

**Released:** February 19, 2004

By the Associate General Counsel, Administrative Law Division:

1. On May 7, 2003, NOS Communications, Inc., Affinity Network Incorporated, and NOSVA Limited Partnership (Petitioners) filed a Petition for Reconsideration in the above-captioned proceeding. Subsequently, on December 30, 2003, Petitioners requested that the Commission dismiss their Petition for Reconsideration with prejudice pursuant to a consent decree adopted by the presiding administrative law judge in NOS Communications, Inc., FCC 03M-42 (Oct. 29, 2003) (Consent Order). The Consent Order terminated this proceeding and is now final. Good cause having been shown, we will grant the requested relief.

2. ACCORDINGLY, IT IS ORDERED, That, pursuant to the authority delegated under 47 C.F.R. § 0.251 (c), the Request for Dismissal With Prejudice, filed December 30, 2003 NOS Communications, Inc., Affinity Network Incorporated, and NOSVA Limited Partnership IS GRANTED.

3. IT IS FURTHER ORDERED, That the Petition for Reconsideration, filed May 7, 2003, by NOS Communications, Inc., Affinity Network Incorporated, and NOSVA Limited Partnership IS DISMISSED with prejudice.

4. IT IS FURTHER ORDERED, That (1) the Enforcement Bureau's Motion to Strike and Opposition to Petition for Reconsideration, filed May 20, 2003, (2) an Opposition to Motion to Strike and Reply to Opposition to Petition for Reconsideration, filed May 30, 2003, by Petitioners, (3) the Enforcement Bureau's Reply to Opposition to Motion to Strike, filed June 16, 2003, (4) a Motion to Strike, filed June 23, 2003, by NOS Communications, Inc., and (6) the Enforcement Bureau's Opposition to Motion to Strike, filed July 2, 2003 ARE DISMISSED as moot.<sup>1</sup>

FEDERAL COMMUNICATIONS COMMISSION



Susan H. Steiman  
Associate General Counsel  
Office of General Counsel

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<sup>1</sup> These pleadings are associated with the Petition for Reconsideration, and dismissal of the Petition renders them moot.